

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT DANVILLE, VA
FILED
for Roanoke
APR 16 2015
JULIA C. DUDLEY, CLERK
BY: *[Signature]*
DEPUTY CLERK

JOHNNIE MCKNIGHT,
Petitioner,

Civil Action No. 7:05-cv-00336

v.

ORDER

A. DAVID ROBINSON,
Respondent.

By: Hon. Jackson L. Kiser
Senior United States District Judge

On August 12, 2005, I granted Respondent's motion to dismiss Petitioner's petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The United States Court of Appeals for the Fourth Circuit denied a certificate of appealability and dismissed the appeal on May 12, 2006.

Presently before me is Petitioner's motion for reconsideration pursuant to Rule 60(b)(2), Fed. R. Civ. P., arguing that he the "newly discovered evidence" he found in 2003 proves he is "actually innocent" of multiple violent felonies. After reviewing the record, the motion for reconsideration is **DENIED** as untimely and meritless. Petitioner is advised that he may seek permission from the Court of Appeals for the Fourth Circuit to file a successive petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2244(b)(3).

The Clerk shall send a copy of this Order to the parties.

It is so **ORDERED**.

ENTER: This 16th day of April, 2015.

[Signature]
Senior United States District Judge